

Senate File 410

H-1169

1 Amend Senate File 410, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 7, after line 2 by inserting:  
4 <Sec. \_\_\_\_\_. NEW SECTION. 514C.30 Opioid analgesic  
5 drug products — coverage.  
6 1. *Definitions.* For purposes of this section,  
7 unless the context otherwise requires:  
8 a. *"Abuse-deterrent opioid analgesic drug product"*  
9 means a brand-name or generic opioid analgesic drug  
10 product approved by the United States food and drug  
11 administration with abuse-deterrence labeling claims  
12 that indicate the product is expected to result in a  
13 meaningful reduction in abuse of opioids.  
14 b. *"Carrier"* means an entity that provides health  
15 benefit plans in this state.  
16 c. *"Health benefit plan"* means a policy,  
17 certificate, or contract providing hospital or medical  
18 coverage, benefits, or services rendered by a health  
19 care provider.  
20 d. *"Opioid analgesic drug product"* means a drug  
21 product in the opioid analgesic drug class prescribed  
22 to treat moderate to severe pain or other conditions  
23 and includes immediate release, extended release, and  
24 long-acting forms, whether or not combined with other  
25 drug substances to form a single drug product or dosage  
26 form.  
27 2. *Coverage required.*  
28 a. Notwithstanding the uniformity of treatment  
29 requirements of section 514C.6, a contract, policy, or  
30 plan providing for third-party payment or prepayment  
31 of health or medical expenses that provides coverage  
32 benefits for opioid analgesic drug products shall  
33 provide coverage for all abuse-deterrent opioid  
34 analgesic drug products as a preferred drug on the  
35 carrier's drug formulary or preferred drug list.  
36 b. Cost-sharing requirements for abuse-deterrent  
37 opioid analgesic drug products shall not exceed the  
38 lowest cost-sharing requirements applied to other  
39 covered prescription drugs on the carrier's drug  
40 formulary or preferred drug list.  
41 3. *Prior authorization.*  
42 a. A prior authorization or utilization review  
43 requirement shall not require prior use of an opioid  
44 analgesic drug product other than an abuse-deterrent  
45 opioid analgesic drug product as a prerequisite for  
46 access to an abuse-deterrent opioid analgesic drug  
47 product.  
48 b. This subsection shall not be construed to  
49 prevent a carrier from requiring prior authorization  
50 for an abuse-deterrent opioid analgesic drug product,

1 provided that the same prior authorization requirements  
2 are applied to all versions of the same opioid  
3 analgesic drug products that are not abuse-deterrent  
4 opioid analgesic drug products.

5 4. *Applicability.*

6 a. This section applies to the following classes  
7 of third-party payment provider contracts or policies  
8 delivered, issued for delivery, continued, or renewed  
9 in this state on or after July 1, 2015:

10 (1) Individual or group accident and sickness  
11 insurance providing coverage on an expense-incurred  
12 basis.

13 (2) An individual or group hospital or medical  
14 service contract issued pursuant to chapter 509, 514,  
15 or 514A.

16 (3) An individual or group health maintenance  
17 organization contract regulated under chapter 514B.

18 (4) Any other entity engaged in the business of  
19 insurance, risk transfer, or risk retention, which is  
20 subject to the jurisdiction of the commissioner.

21 (5) A plan established pursuant to chapter 509A for  
22 public employees.

23 (6) An organized delivery system licensed by the  
24 director of public health.

25 b. This section shall not apply to accident-only,  
26 specified disease, short-term hospital or medical,  
27 hospital confinement indemnity, credit, dental, vision,  
28 Medicare supplement, long-term care, basic hospital  
29 and medical-surgical expense coverage as defined  
30 by the commissioner, disability income insurance  
31 coverage, coverage issued as a supplement to liability  
32 insurance, workers' compensation or similar insurance,  
33 or automobile medical payment insurance.>

34 2. Title page, by striking lines 2 and 3 and  
35 inserting <limiting criminal and civil liability,  
36 modifying penalties, and providing an applicability  
37 date.>

38 3. By renumbering as necessary.

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COMMITTEE ON PUBLIC SAFETY  
BAUDLER of Adair, Chairperson